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Attorneys for Plaintiffs  
CONTINENTAL INSURANCE COMPANY and  
APPLE COMPUTER, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**\*E-FILED - 6/28/07\***

CONTINENTAL INSURANCE COMPANY,)   
a South Carolina corporation, and APPLE )  
COMPUTER, INC., a California corporation, )

Plaintiffs, )

v. )

UTI, UNITED STATES, INC., a New York )  
corporation; CUSTOM AIR TRUCKING, )  
INC., a California corporation; FUTURA )  
ENTERPRISES, INC., a California )  
corporation; RUBEN FRANCISCO, )  
individually and doing business as )  
LIGHTNING SERVICES; and DOES 1 )  
through 100, inclusive, )

Defendants. )

AND RELATED CROSS-CLAIMS )

CASE NO. C 06-04256 RMW

**STIPULATION OF DISMISSAL  
AND ORDER  
THEREON**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

IT IS HEREBY STIPULATED by and between Plaintiffs Continental  
Insurance Company and Apple Computer, Inc., through their designated counsel  
and Defendants, through their designated counsel, that the above-captioned action,

including Plaintiffs' Complaint, in their entirety, be dismissed with prejudice pursuant to FRCP 41(a)(1). All sides agree to bear their own costs.

Date: May 23, 2007

BROWN & ASSOCIATES, PLC

By: /s/ Adam C. Brown  
ADAM C. BROWN  
Attorneys for Plaintiffs  
CONTINENTAL INSURANCE  
COMPANY and APPLE COMPUTER,  
INC

Date: May 23, 2007

FORGIE & LEONARD, LLP

By: /s/ Arthur A. Leonard  
ARTHUR A. LEONARD  
Attorneys for Defendant  
UTi, UNITED STATES, INC.

Date: May 23, 2007

COUNTRYMAN & McDANIEL

By: /s/ Cameron W. Roberts  
CAMERON W. ROBERTS  
Attorneys for Defendant  
CUSTOM AIR TRUCKING, INC.

Date: May 23, 2007

By: /s/ Miles L. Kavaller  
MILES L. KAVALLER  
Attorneys for Defendant  
FUTURA ENTERPRISES, INC.

IT IS SO ORDERED:

Date: 6/28, 2007

  
HONORABLE RONALD M. WHYTE